

Serial No. 10/531,978
Amdt. dated December 1, 2008
Reply to Office Action of July 14, 2008

Docket No. P-0752

REMARKS/ARGUMENTS

Claims 1-25 are pending. By this Amendment, the Abstract and claims 1-24 are amended, and claim 25 is added. The Abstract and claims 1-24 have been amended merely to correct informalities. No new matter is added. Support for claims can be found throughout the specification, including the original claims, and the drawings. Reconsideration in view of the above amendments and following remarks is respectfully requested.

The Examiner is thanked for the indication that claims 2-19 would be allowable if rewritten in independent form including all of the features of the base claim and any intervening claims. However, for the reasons set forth below, claims 2-19 have not been rewritten in independent form at this time.

The Office Action rejected claim 1 under 35 U.S.C. §103(a) as being unpatentable over Nagata et al. (hereinafter “Nagata”), U.S. Patent No. 5,918,480, in view of Kronenberger et al. (hereinafter “Kronenberger”), U.S. Patent No. 4,013,434. The rejection is respectfully traversed.

Independent claim 1 recites a vegetable room for a refrigerator. The vegetable room comprises a vegetable box configured to be disposed inside a refrigerator in which a cooling air supply device that circulates cooling air therein and a plurality of shelves are provided, and having a receptacle space that receives food items therein opened upwardly; a box cover that covers an opening side of the vegetable box to close the receptacle space of the vegetable box and having a plurality of cooling air ventilating holes formed at therein to introduce cooling air

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into the vegetable box; a cover support device interposed between the box cover and a shelf, to support the box cover with respect to the shelf; a plurality of opening and closing members that opens and closes the plurality of cooling air ventilating holes of the box cover; and an operating device that operates the plurality of opening and closing members simultaneously. Nagata and Kronenberger, taken alone or in combination, do not disclose or suggest all of the features of independent claim 1, or the claimed combination.

That is, neither Nagata nor Kronenberger disclose or suggest “a box cover...having a plurality of cool air ventilating holes formed therein...”, as recited in independent claim 1. Rather, the Examiner refers to Fig. 27 of Nagata, and in particular, element 10 as corresponding to the claimed plurality of cool air ventilating holes. However, Nagata in Fig. 27 discloses a vegetable-storage container 7 with a lid 9 having a single circular air-vent 10. Further, the circular air-vent 10 is covered with a moisture-sensitive sheet 12 that expands and contracts based on humidity. The Examiner also refers to col. 3, lines 51-55 of Nagata as suggesting that “additional air ventilating holes can be placed on the fruit container.” However, lines 51-55 of Nagata are directed to another embodiment and state that a plurality of through-holes may be provided on a bottom surface of the fruit container.

Further, the Office Action acknowledges that Nagata “does not specifically disclose a plurality of shelves, a plurality of opening and closing members[,] and an operating unit.” The Examiner then asserts that Kronenberger disclose such features, and concludes that “it would

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have been obvious to a person of ordinary skill in the art to combine the apparatus of Nagata with the teachings of Kronenberger [] to obtain a device to provide a vegetable room for a refrigerator that is capable of maintaining food items stored in a vegetable box fresh regardless of environmental conditions outside a refrigeration.”

However, Kronenberger discloses an airflow moisture control for use with a refrigerator food storage hydrator drawer cover and guide that enables the user to vary the amount of moisture therein by adjustable side vents. Kronenberger does not disclose a plurality of cooling air ventilating holes on a box cover. That is, Kronenberger's vents or openings 62, 64 are on sides of the vegetable hydrator 20, 22 drawers. See Fig. 2 and Fig. 3 and column 3, lines 5-15 of Kronenberger. Also, the Office Action compares elements 72, 74 disclosed in Kronenberger to the claimed plurality of opening and closing members of independent claim 1 and element 78 to the claimed operating device. However, elements 72, 74 are disclosed by Kronenberger as a one-piece valve-like closure baffle or control damper and element 78 is disclosed as an integral hinge pin (of blade 76 of damper 72). Thus, neither damper 72 nor 74 nor the integral hinge pin 78 teaches the features of a plurality of opening and closing members and an operating device that operates the plurality of opening and closing members simultaneously, as each damper 72, 74 is formed of a single blade with hinge pin 78 formed integral therewith.

Additionally, the Examiner has provided no motivation why (or how) one of ordinary skill in the art would modify or replace the single circular air-vent 10 formed in the lid 9 of

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Nagata and having the moisture-sensitive sheet 12 covering the vent 10 with the side vent damper system of Kronenberger, to produce the claimed features of independent claim 1. Further, it is respectfully submitted that such a modification would destroy Nagata's air-vent 10 for its intended function and purpose.

Accordingly, the rejection of independent claim 1 over Nagata and Kronenberger should be withdrawn.

The Office Action rejected claims 20 and 21 under 35 U.S.C. §103(a) as being unpatentable over Nagata in view of Kronenberger, and further in view of Kim et al. (hereinafter "Kim"), U.S. Patent No. 6,367,276. The rejection is respectfully traversed.

Dependent claims 20 and 21 are allowable over Nagata and Kronenberger at least for the reasons discussed above with respect to independent claim 1, from which they depend, as well as for their added features. Kim fails to overcome the deficiencies of Nagata and Kronenberger, as it is merely cited for allegedly teaching a plurality of ribs formed at a bottom of a box cover with a certain height and a certain width, and wherein the ribs have a grid form. Accordingly, the rejection of claims 20-21 over Nagata, Kronenberger, and Kim should be withdrawn.

The Office Action rejected claims 22-24 under 35 U.S.C. §103(a) as being unpatentable over Nagata in view of Kronenberger, and further in view of Chang et al. (hereinafter "Chang"), U.S. Patent No. 6,070,419. The rejection is respectfully traversed.

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Dependent claims 22-24 are allowable over Nagata and Kronenberger at least for the reasons discussed above with respect to independent claim 1, from which they depend, as well as for their added features. Chang fails to overcome the deficiencies of Nagata and Kronenberger, as it is merely cited for allegedly teaching a cooling air discharge hole, with a nozzle provided on its front side or at a rear side. Accordingly, the rejection of claims 22-24 over Nagata, Kronenberger, and Chang should be withdrawn.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

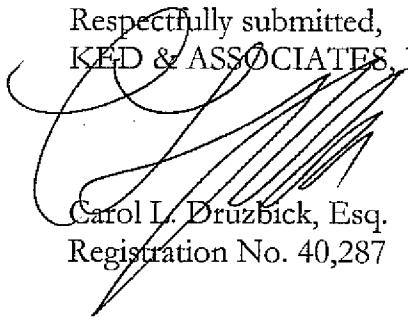
If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, at the telephone number listed below.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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